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January 24, 2024

**VIA ECF**

Magistrate Peggy Kuo, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: State Farm Mut. Auto. Ins. Co., et al. v. Metro Pain Specialists P.C., et al.**  
**Case No.: 1:21-cv-05523-MKB-PK**

Dear Judge Kuo:

Pursuant to this Court's text order dated January 3, 2024, nonparty Law Offices of Gabriel & Shapiro LLC ("Gabriel & Shapiro") writes jointly with Plaintiffs State Farm Mutual Automobile Insurance Co. and State Farm Fire and Casualty Co. ("Plaintiffs," and together with Gabriel & Shapiro, the "Parties") to provide a status update on their attempts to resolve outstanding discovery disputes. The Parties have continued to meet and confer and exchange communications relating to this third party subpoena issue.

Since their last status update filed with the Court on January 2, 2024, the Parties have made progress toward resolving the outstanding issue of whether Gabriel & Shapiro can access and produce certain electronic communications related to Plaintiffs' subpoena.

Gabriel & Shapiro is no longer an active law firm, and its counsel has been working with members of the law firm Gabriel & Moroff to obtain additional information regarding Gabriel & Shapiro's email service provider. A former employee of Gabriel & Shapiro was located and identified the service provider for the former email server.

To provide Gabriel & Shapiro additional time to obtain information necessary to resolve the Parties' disputes, the Parties respectfully request the Court order the Parties to meet and confer

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on these issues no later than January 31, 2024, and to provide a status update to the Court on whether any outstanding issues remain no later than February 9, 2024.

We thank the Court for its consideration.

Respectfully submitted,



Shannon Carroll

SC:jg

cc: All Counsel of Record (via ECF)